

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Stephen J. Green,

Plaintiff,

v.

Director Brian Sterling, Warden Charles Williams, and Deputy Warden John Palmer,

Defendants.

C/A No.: 0:22-cv-1634-SAL-PJG

**ORDER**

This matter is before the court for review of the December 9, 2022 Report and Recommendation of United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b)(1)(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 87.] In the Report and Recommendation, the magistrate judge recommends denying Green's Motion for a Temporary Restraining Order, ECF No. 5. *Id.* at 4. Included in the Report was a notice advising the parties of the procedures and requirements for filing objections to the Report. *Id.* at 5. Neither party filed objections, and the time for doing so has expired.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). Without objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the

recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 87, and incorporates the Report by reference herein. Accordingly, Green’s Motion for a Temporary Restraining Order, ECF No. 5, is **DENIED**.

**IT IS SO ORDERED.**

January 10, 2023  
Columbia, South Carolina

/s/Sherri A. Lydon  
Sherri A. Lydon  
United States District Judge